

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, : 21-CR-00265(PKC)
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:
-against- : United States Courthouse
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:
:
March 29, 2022
10:00 a.m.
KUANG ZEBIN, :
:
Defendant. :
- - - - - X

TRANSCRIPT OF CRIMINAL CAUSE FOR CURCIO HEARING
BEFORE THE HONORABLE PAMELA K. CHEN
UNITED STATES DISTRICT JUDGE

A P P E A R A N C E S:

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1 (In open court.)

2 THE COURTROOM DEPUTY: Criminal cause for *Curcio*
3 hearing and plea hearing, docket 21-CR-265, United States
4 versus Kuang Zebin.

5 Will the parties please state their appearances for
6 the record starting with the Government.

7 MR. HEEREN: Good morning, Your Honor.

8 Craig Heeren on behalf of the United States. With
9 me is my colleague, Ellen Sise. I think I'm pretty loud, but
10 if you can't hear me, let me know.

11 THE COURT: No, you're plenty loud. Thank you.

12 Good morning to both of you, and apologies to
13 Ms. Sise on the last-minute fire drill on getting the elements
14 to us. I'm sorry. I can imagine you sprinting across the
15 street moments before, having done that myself many times, so
16 thank you for that.

17 MR. WALSH: Yes, good morning, Your Honor.

18 Michael Walsh. I'm the attorney for Mr. Kuang, who
19 is seated to my left.

20 THE COURT: Good morning to both of you.

21 And then we'll have our interpreter be sworn in.

22 (Interpreter sworn.)

23 THE COURTROOM DEPUTY: Thank you.

24 Please state and spell your name and indicate the
25 language you are interpreting.

1 THE INTERPRETER: Tuo, T-U-O, last name Huang,
2 H-U-A-N-G, Mandarin Chinese.

3 THE COURT: Okay. Good morning to you, Mr. Huang.
4 Or is it Huang?

5 THE INTERPRETER: Huang, either way. Thank you,
6 Your Honor.

7 THE COURT: Okay. Good morning.

8 Have a seat. Everyone can remain seated throughout
9 the proceeding. Just make sure you use the microphone so that
10 we can hear you through the masks and the Plexi.

11 So we're here today for a *Curcio* hearing because, as
12 set forth in the Government's March 14, 2022, letter, there
13 are a couple of conflicts with respect to Mr. Walsh's
14 representation of Mr. Zebin -- I'm sorry, is the last name
15 Kuang, or is the last name --

16 THE DEFENDANT: Kuang.

17 THE COURT: I'm so sorry. Mr. Kuang. I should know
18 that.

19 And I want to advise Mr. Kuang fully -- although I
20 understand he's already been advised, to some extent, by the
21 Government -- about these conflicts and to see if he wants to
22 waive them, because I do find that they're waivable.

23 Did you want to speak, Mr. Walsh, to your client
24 further.

25 MR. WALSH: Judge, I'm just getting a -- his

1 medication. He has some anxiety issues. We actually -- on
2 the last proffer, he got very faint and he's seen a doctor
3 since then and he has some medication that he's just giving to
4 me in case the same thing happens.

5 THE COURT: All right. Do you need water?

6 MR. WALSH: Do you want some water?

7 THE COURT: Oh, look at that. Okay, terrific. You
8 can leave that out on the table --

9 MR. WALSH: Okay, I will just leave it right here.

10 THE COURT: -- Mr. Kuang, in case you need the
11 medication. Just take it if you feel like you're getting
12 anxious or faint, all right?

13 THE DEFENDANT: Okay.

14 THE COURT: Now, Mr. Kuang, I need to have you pull
15 the microphone towards you. Actually, no I have got that
16 backwards. I guess I should have it pulled towards the
17 interpreter because I'm assuming that Mr. Kuang is going to
18 have to speak through the interpreter.

19 THE INTERPRETER: Your Honor, may I instruct
20 Mr. Kuang to press the button?

21 THE COURT: Absolutely. That way you can
22 communicate with the interpreter when you need to make a
23 statement.

24 Do you understand that?

25 THE DEFENDANT: Okay.

1 THE COURT: So, Mr. Kuang, I am advised that your
2 current attorney, Mr. Walsh, is affiliated with the -- and I'm
3 going to spell it for the court reporter -- D-E-M-I-D-C-H-I-K,
4 Demidchik; is that right? -- Demidchik Law Firm. I'm also
5 advised that the Demidchik firm has previously represented
6 your co-defendant, Zhu Yong, whom the Government has
7 identified as one of your co-conspirators.

8 Do you understand me so far?

9 THE DEFENDANT: Understood, yeah.

10 THE COURT: Now, your attorney, as a member of the
11 Demidchik firm, may have certain ethical obligations to your
12 co-defendant Zhu Yong. For example, it might be a conflict of
13 interest for a member of the Demidchik firm to investigate
14 leads, introduce evidence, or make arguments on your behalf
15 that might tend to incriminate, or cast suspicion on the
16 firm's prior client Zhu Yong.

17 Again, I want to confirm since you're being advised
18 through an interpreter that you understand me so far.

19 THE DEFENDANT: Understood.

20 THE COURT: Okay. If at any point -- and I'm going
21 to direct this to the interpreter -- I'm going too fast, just
22 raise your hand and I will slow down, okay?

23 THE INTERPRETER: Thank you so much.

24 THE COURT: I know the simultaneous translation is
25 very challenging.

1 Now, your attorney, or members of his firm --
2 Demidchik -- also may have privileged information obtained in
3 the course of Demidchik's representation of this prior client,
4 Zhu young that could assist in your defense. However, the
5 ethical duties of your attorney, Mr. Walsh, and the members of
6 his firm may preclude or prevent them from disclosing or using
7 that information in your case.

8 Do you understand?

9 THE DEFENDANT: Understood.

10 THE COURT: Okay. It is also possible that another
11 attorney could take a certain position with respect to your
12 involvement or noninvolvement in the crime charged against you
13 or your relationship with your co-conspirators, whereas your
14 attorney may be ethically barred from pursuing such a defense
15 strategy due to contrary information that he or other members
16 of his firm may have obtained from other clients. In other
17 words, Mr. Kuang, if you got a brand new attorney who wasn't
18 associated with the Demidchik firm, that attorney could take
19 whatever position you and he or she felt was in your best
20 interest without any restriction because of information
21 learned about one of your co-defendants through a prior
22 relationship.

23 Do you understand that?

24 THE DEFENDANT: Understood.

25 THE COURT: There may be other issues in addition to

1 the ones I've just described that can arise in which your
2 attorney's ability to do certain things might be affected by
3 the fact that his firm has represented other clients in
4 matters related to this case, and no one can foresee every
5 possible conflict of interest.

6 Do you have any questions about what I've just
7 explained to you, Mr. Kuang?

8 THE DEFENDANT: No.

9 THE COURT: Can you explain to me in your own words
10 what you understand this potential conflict of interest to be,
11 or what the potential conflict of interest might be?

12 Pause for a minute so he can translate.

13 THE INTERPRETER: Sorry.

14 THE DEFENDANT: Directly in this case, there could
15 be another person, so he could hire another attorney from this
16 law firm, so probably there could be conflict of interest
17 rising that may restrict his abilities doing strategies in
18 court.

19 THE COURT: Did you want to say anything further?

20 THE DEFENDANT: I don't know how to describe, but I
21 know what it is.

22 THE COURT: The conflict in this case is a little
23 more concrete because Mr. Walsh's firm, the Demidchik firm,
24 has actually represented your co-defendant, Zhu Yong. So
25 because of that relationship, one or more lawyers in the

1 Demidchik firm presumably learned information from Mr. Zhu
2 Yong that could restrict how Mr. Walsh represents you. And
3 this is the theoretical part, but if your attorney, Mr. Walsh,
4 knew of information relating to Zhu Yong -- or, actually,
5 don't translate, let me withdraw that.

6 Theoretically, there might be a position that
7 Mr. Walsh would ordinarily take on your behalf but is barred
8 from doing so because of information received by his firm from
9 Mr. Zhu Yong.

10 So do you understand that?

11 THE DEFENDANT: I understand, but I still want to
12 continue to hire him.

13 THE COURT: Okay. All right.

14 MR. HEEREN: Judge?

15 THE COURT: Yes, go ahead, Mr. Heeren.

16 MR. HEEREN: Since the defendant is being asked
17 questions, should the defendant be sworn in as well on these
18 issues?

19 THE COURT: I guess that's right. Yes, we should do
20 that. My apologies.

21 So because you are giving answers to my questions,
22 I'm going to have you sworn in, so you are going to be given
23 an oath to tell the truth.

24 Do you understand that?

25 THE DEFENDANT: Okay.

1 THE COURT: In other words, you need to affirm for
2 me that you are going to give me truthful answers.

3 Do you understand that?

4 THE DEFENDANT: Okay.

5 THE COURT: So rise and raise your right hand.

6 (Defendant sworn.)

7 THE DEFENDANT: Yes, I do.

8 THE COURT: Have a seat, Mr. Kuang.

9 You should understand that now that you're under
10 oath, if you give any answer that's false -- and by that I
11 mean knowing that the answer is false or incorrect -- your
12 answers could be used against you in a separate prosecution
13 for making a false statement or for perjury.

14 Do you understand that?

15 THE DEFENDANT: I do.

16 THE COURT: The bottom line is whatever you say on
17 the record should be the truth.

18 Do you understand that?

19 THE DEFENDANT: I do.

20 THE COURT: So let's go back to where we left off.

21 Do you understand the potential conflict with
22 respect to Mr. Walsh's representation of you because of his
23 firm's prior representation of Zhu Yong?

24 THE DEFENDANT: Yes.

25 THE COURT: And is it your understanding

1 notwithstanding that conflict to have Mr. Walsh represent you?

2 THE DEFENDANT: I don't mind.

3 THE COURT: Okay. It's not a question of if you
4 don't mind. I need to make sure that you affirmatively want
5 Mr. Walsh to represent you still, even though there may be
6 some limits on how he represents you because of the firm's
7 representation of co-defendant in the past.

8 THE DEFENDANT: I do. I affirm.

9 THE COURT: Okay. Let's turn now to the other
10 conflict.

11 I've been advised that your attorney or his law firm
12 were paid by a third party to represent you in this matter.
13 Because your attorneys are being paid by a third party,
14 they -- meaning the attorneys -- may be influenced by this
15 third party in connection with their representation of you.
16 In other words, the attorneys may be influenced to advise you
17 to do things that are in the third party's best interest, but
18 not in your best interest. For example, if the third party is
19 involved in the alleged crime, the third party may have a
20 vested interest in having your lawyers advise you to accept
21 sole responsibility. In other words, those third parties
22 could tell your lawyers that you should accept sole
23 responsibility for the unlawful scheme that the third party
24 may have been involved in, or the third party may tell your
25 lawyers to advise you to minimize the third party's

1 involvement in the crime.

2 Do you understand?

3 THE DEFENDANT: Yes.

4 THE COURT: Your lawyers may also have an interest
5 in advising you to not seek to cooperate with the Government
6 even if that might be in your interest. In other words, your
7 lawyers may advise you not to cooperate because your
8 cooperation might directly, or indirectly, implicate the third
9 party who is paying your legal fees.

10 Do you understand?

11 THE DEFENDANT: I do.

12 THE COURT: There may be other issues in addition to
13 the ones that I've just described that can arise in which your
14 attorney's ability to do certain things might be affected by
15 the fact that he is being paid by a third party. Again, no
16 one can foresee every conflict of interest that might arise
17 out of the fact that your legal fees are being paid by a third
18 party.

19 Do you understand what I've explained so far?

20 THE DEFENDANT: Yes.

21 THE COURT: Do you have any questions at all about
22 the potential conflict that might arise of having a third
23 party pay for your legal fees?

24 THE DEFENDANT: No.

25 THE COURT: Any questions?

1 THE DEFENDANT: I'm all clear.

2 THE COURT: Can you tell me in your own words what
3 you understand the potential conflicts to be because of a
4 third party paying your legal fees?

5 MR. WALSH: One sentence at a time. It's easier for
6 the interpreter.

7 THE INTERPRETER: Thank you.

8 THE DEFENDANT: So my legal fees being paid to the
9 third party, and then if he or she is involved in this crime,
10 he or she could get some help from my attorney. But my
11 understanding is he or she could teach me not to cooperate
12 with the Government while I can cooperate with the Government.
13 And some other facts that could arise, but I don't know how to
14 describe them, but previously I had some understanding from
15 the prosecutors before --

16 THE COURT: I want to clarify something you just
17 said, and I don't know if it's because it got lost in
18 translation, but at the very beginning you said your legal
19 fees are being paid to the third party.

20 THE DEFENDANT: Instead of paid to the third party,
21 didn't you mention if the third party --

22 THE COURT: Mr. Interpreter, sorry, you have to use
23 the mic. Can you start all over again? I'm sorry, I didn't
24 hear you.

25 THE DEFENDANT: Instead of being paid to the third

1 party, didn't you say it's the third party that pays that
2 money?

3 THE COURT: That's correct, but your statement to me
4 was translated as legal fees being paid to a third party. I
5 just want to make sure you understand that the legal fees are
6 being paid by a third party; you understand that your legal
7 fees are being paid by someone else.

8 THE DEFENDANT: Correct.

9 THE COURT: And you also understand that that person
10 who is paying your fees could ask your lawyers to take
11 positions that are contrary to your interest.

12 Do you understand that?

13 THE DEFENDANT: I do.

14 THE COURT: And understanding that, as well as the
15 other potential conflicts that could arise from this
16 arrangement, do you still want to have Mr. Walsh represent
17 you?

18 THE DEFENDANT: Yes, I am.

19 THE COURT: Are you satisfied with the services that
20 Mr. Walsh and other attorneys in his firm have provided you
21 thus far?

22 THE DEFENDANT: What does that mean?

23 THE COURT: Are you satisfied with the services
24 provided by your lawyers thus far in this case?

25 THE DEFENDANT: I am satisfied.

1 THE COURT: Do you understand that in every criminal
2 case, including this one, the defendant is entitled to the
3 assistance of counsel whose loyalty to him is undivided, and
4 who is not subject to any force or consideration that might in
5 any way intrude upon the attorney's loyalty to his or her
6 client's interests?

7 Do you understand that you are entitled to have a
8 lawyer represent you who is solely loyal to you?

9 THE DEFENDANT: I know, but I have trust in my
10 attorney.

11 THE COURT: Do you believe that he is loyal to you
12 and your interests alone?

13 THE DEFENDANT: I feel he would treat me well and
14 take things in -- to the matter in a way that is good to me.

15 THE COURT: Even though his fees are being paid by
16 somebody else?

17 THE DEFENDANT: Yeah.

18 THE COURT: And even though his firm previously
19 represented one of your co-defendants?

20 THE DEFENDANT: Correct.

21 THE COURT: Now, Mr. Kuang, have you received any
22 inducements, promises, or threats about your choice of counsel
23 in this case?

24 THE DEFENDANT: No.

25 THE COURT: Mr. Kuang, if you proceed with your

1 attorney, Mr. Walsh, you will be giving up your right to be
2 represented by an attorney who does not have any possible
3 conflicts of interest in representing you.

4 Do you understand that?

5 THE DEFENDANT: I do.

6 THE COURT: Okay. And have you discussed these
7 issues with your attorney?

8 THE DEFENDANT: Yes.

9 THE COURT: You also have the right to consult with
10 an independent attorney who can advise you about the possible
11 conflicts of interest that might arise if you proceed with
12 Mr. Walsh.

13 Do you understand that?

14 THE DEFENDANT: I do.

15 THE COURT: In fact, we have one of the esteemed
16 members of our bar here in New York present today --
17 Ms. Todd -- and if you wanted to, you could consult with her
18 as an independent lawyer about potential conflicts of
19 interest. You are not under any pressure to make a decision
20 about this right now.

21 Do you understand that?

22 THE DEFENDANT: But I'm sure I will choose him -- go
23 with him.

24 THE COURT: Now, you understand that I'd give you a
25 reasonable amount of time to confer with another lawyer,

1 including Ms. Todd, if you wanted to.

2 Do you understand that?

3 THE DEFENDANT: Yes.

4 THE COURT: Okay. Do you want to speak to another
5 lawyer, or Ms. Todd, who is actually here in court with us
6 today?

7 THE DEFENDANT: Not necessary.

8 THE COURT: Is there anything I've said that you
9 wish for me to explain further?

10 THE DEFENDANT: No.

11 THE COURT: Are you willing to waive your right to
12 conflict-free counsel, Mr. Kuang?

13 THE DEFENDANT: Correct.

14 THE COURT: And are you knowingly and voluntarily
15 waiving your right to conflict-free representation?

16 THE DEFENDANT: Correct.

17 THE COURT: And do you agree, Mr. Kuang, to waive --
18 or give up -- any post conviction argument on appeal or
19 otherwise that, first, by virtue of having a third party pay
20 your legal fees, you are denied effective assistance of
21 counsel or, second, that prior representation of another
22 party -- your co-defendant -- caused you to be denied
23 effective assistance of counsel?

24 Are you willing to give up those arguments post
25 conviction, or on appeal, or otherwise?

1 THE DEFENDANT: Yes, I am.

2 THE COURT: Let me turn to the Government for a
3 moment.

4 Is there anything else I should inquire of
5 Mr. Kuang?

6 MR. HEEREN: No, Your Honor.

7 THE COURT: Mr. Walsh, is there anything else you
8 think I should cover with your client?

9 MR. WALSH: Not that I can think of, Judge. I don't
10 know if the Court wants some explanation from me about the
11 efforts that I've made to prevent any conflict.

12 THE COURT: Why don't we have you put those on the
13 record. I know that the letter I received from the
14 Government, I think -- or something I read, actually --
15 alluded to efforts to segregate yourself from those lawyers
16 who may have represented or had some role in representing the
17 co-defendant.

18 MR. WALSH: And I will try to speak in short
19 sentences so that the interpreter is able to interpret what
20 I'm saying.

21 First off, the Demidchik Law Firm is actually
22 multiple LLCs that operate separate and apart from each other.

23 THE COURT: One of which is in Flushing, I gather.

24 MR. WALSH: One is in Flushing; one is in Chicago;
25 one is in City of Industry in LA area; and one is in Santa

1 Clara County, California.

2 THE COURT: Where is Demidchik him- or herself?
3 This is just a point of curiosity.

4 MR. WALSH: Anna Demidchik is the named partner.
5 Presently, I think she is completing her reserve duty for the
6 United States Army.

7 THE COURT: Good for her.

8 MR. WALSH: And she generally has been in the
9 Flushing office, but has moved to the Santa Clara County,
10 California office.

11 THE COURT: All right, but we are digressing. So
12 your point is that it's easy to maintain separateness?

13 MR. WALSH: Yes.

14 In fact, my files on -- we use SharePoint -- are
15 separate and apart from everyone else, and I'm the only one
16 who has access to them. I don't have access to the files of
17 other attorneys in the Demidchik firm in the four separate
18 offices. I have -- I don't know what conversations ever
19 occurred between Mr. Zhu and members of the Flushing,
20 New York, office.

21 THE COURT: The only thing I'm wondering, though, is
22 even if you don't communicate with your affiliated lawyers
23 about their representation of Mr. Zhu in the past, I don't
24 know if that resolves or absolves you of your ethical
25 obligation as a member of the same firm not to take a contrary

1 position -- sorry, "contrary" is the wrong word -- but not to
2 take a position that might be inconsistent with information
3 that your loosely-affiliated partners obtained when they
4 represented Mr. Zhu.

5 Let's pause for a moment, because I don't know if
6 the Government has a view on that, or if you do, Mr. Walsh.

7 So even though we're talking about the ways in which
8 you basically walled yourself off from this information, I'm
9 not sure that that eliminates some obligation you might have
10 not to be disloyal to the firm's prior client, Mr. Zhu.

11 MR. HEEREN: So, Your Honor, the Government's
12 position is -- I think the law is a little complex here and
13 tends to be a bit fact-specific. I think the most
14 conservative assumption to proceed with for purposes of a
15 *Curcio* hearing is to assume, for the purposes of any waiver,
16 that there be some limitation on Mr. Walsh's ability to
17 present a case as it relates to that co-defendant with the
18 examples being limitations on cross-examination, certain
19 evidence.

20 However, in addition to Mr. Walsh's information
21 about how, as a factual matter, he doesn't know anything, the
22 Government would also represent that if we were to go to trial
23 in this case, the facts of the case, as it pertains to this
24 defendant, are large -- are largely discrete from the other
25 defendants. It's part of the same conspiracy, so the issue

1 still exists, but it's our view that whatever potential
2 conflict here is fairly narrow and minor, for lack of a better
3 term.

4 THE COURT: But speaking in broad terms, assuming
5 for the moment that Mr. Kuang wants to cooperate, wants to
6 testify, and ends up testifying about the scheme overall,
7 which could have a negative impact on co-defendant Zhu, does
8 everyone think that Mr. Walsh is not limited in counseling
9 Mr. Kuang to cooperate, if that's what he desires, even if it
10 has a negative impact on Mr. Zhu, who the firm no longer
11 represents?

12 MR. HEEREN: I do not believe the obligation extends
13 that far, Your Honor. I believe that maintaining client
14 confidences reaches beyond the representation, so if
15 Mr. Walsh, for example, did know the confidential facts, he
16 could not share it. But my understanding is that -- my
17 understanding is that is the limit as it pertains to this
18 case, so I don't think he would be -- have any issue with, for
19 example, preparing him to testify.

20 THE COURT: Preparing him to testify?

21 MR. HEEREN: Yes.

22 THE COURT: Okay.

23 Mr. Walsh, do you see it any differently than what
24 the Government has just described?

25 MR. WALSH: No, Judge. I think the Government and I

1 are on the same page here.

2 THE COURT: And you don't feel limited in terms of
3 the advice you would give Mr. Kuang based on the firm having
4 previously represented Mr. Zhu?

5 MR. WALSH: None whatsoever.

6 THE COURT: Okay. All right. Well, I am satisfied
7 that Mr. Kuang is knowingly and voluntarily waiving his right
8 to conflict-free representation. I think we've gone over it
9 at great length, the potential conflicts, which are somewhat
10 concrete, as I said before, in this case, given the firm's
11 prior representation of a co-defendant. But it does appear to
12 me, based on Mr. Kuang's demeanor and his answers to my
13 questions, that he understands the potential risks and the
14 conflicts but is willing to waive his right to have an
15 attorney who is conflict-free.

16 So I'm going to accept Mr. Ze Bin's waiver to
17 conflict-free representation, and Mr. Walsh, you will continue
18 to represent Mr. Kuang going forward.

19 One last thing I will say to you, Mr. Kuang, is that
20 if at some point if you decide, however, that you don't wish
21 Mr. Walsh to represent you anymore because of a conflict -- or
22 for any reason -- you obviously are not required to keep
23 Mr. Walsh. And it could well be that perhaps the third
24 party's influence becomes such that you don't want to have
25 Mr. Walsh represent you anymore. In other words, you're not

1 stuck with Mr. Walsh simply because I've accepted your waiver
2 regarding his representation of you.

3 Do you understand that?

4 THE DEFENDANT: Understood.

5 THE COURT: And also, as I'm sure you were advised
6 when you were first arraigned or presented in court, you have
7 the right to appointment of counsel -- free counsel -- if you
8 cannot afford to pay for an attorney yourself. In other
9 words, you don't need to depend on this third party to pay
10 your legal fees. If you cannot afford to hire your own
11 attorney, we'll appoint one for you for free.

12 Do you understand that?

13 THE DEFENDANT: Yes.

14 THE COURT: All right. So now, Mr. Walsh, it's my
15 understanding that your client wishes to proceed with a plea
16 to Count Three of the superseding S-1 indictment.

17 Thank you very much, Ms. Todd. You are excused with
18 our thanks.

19 MS. TODD: You're welcome. Thank you.

20 THE COURT: Sorry you had to endure a rather lengthy
21 Curcio.

22 So it's my understanding that Mr. Kuang is going to
23 plead guilty to Count Three of the S-1 superseding indictment
24 pursuant to an agreement with the Government; is that correct,
25 Mr. Walsh?

1 MR. WALSH: Yes, that is my client's understanding.
2 We have reviewed the agreement with him, and it has been
3 translated for him previously by one of our -- my assistants
4 in our Chicago office.

5 THE COURT: Into Chinese?

6 MR. WALSH: Yes. Mandarin.

7 THE COURT: Well, written is the same, but whatever.
8 Okay.

9 MR. WALSH: One of our associates speaks Cantonese
10 also, so she maintains that they're separate.

11 THE COURT: Oh, that's interesting.

12 MR. WALSH: She's originally from Kuang Kong.

13 THE COURT: Fair enough.

14 So, Mr. Kuang, as you just heard, your attorney has
15 advised me that it's your intention to plead guilty to Count
16 Three of the superseding S-1 indictment, and that you will be
17 doing so pursuant to an agreement with the Government.

18 Is that correct?

19 THE DEFENDANT: Correct.

20 THE COURT: Now, this is a serious decision, and I
21 must be certain that you're making this decision with a full
22 understanding of your rights and the consequences of your
23 guilty plea. I'm going to be explaining to you the rights
24 that you will be giving up by pleading guilty, and before I
25 accept your guilty plea, there are a number of questions that

1 I must ask you to establish that your plea is valid. If you
2 don't understand any of my questions, let me know and I'll
3 rephrase them for you. If you would like to consult further
4 with your attorney, let me know and I will give you as much
5 time as you need.

6 Now, you are already under oath, so, again, I'm
7 going to remind you that if you answer any of my questions
8 falsely, those answers can be used against you in a separate
9 prosecution for perjury or making a false statement.

10 Do you understand that?

11 THE DEFENDANT: Yes, I do.

12 THE COURT: Please state your full name for the
13 record.

14 THE INTERPRETER: Your Honor, may interpreter verify
15 with the -- with Mr. Kuang and instruct him to speak to me in
16 Mandarin only?

17 THE COURT: Well, I guess you can speak in English
18 and Mandarin, but if you are going to speak in English,
19 Mr. Kuang, we need to have you speak into the microphone, but
20 certainly, Mr. Interpreter, you can confirm with him what he
21 just told you.

22 THE INTERPRETER: Okay. Thank you, Your Honor.

23 THE COURT: Mr. Walsh, why don't you pull the
24 microphone between you and your client since he obviously
25 speaks some English.

1 THE DEFENDANT: So my full name is called Kuang
2 Zebin.

3 THE COURT: And Kuang is your last name; correct?

4 THE DEFENDANT: Correct.

5 THE COURT: How old are you?

6 THE DEFENDANT: Twenty-three.

7 MR. WALSH: Judge, I prefer if we kept in the
8 Mandarin as opposed to him kind of morphing into English,
9 because I'm just concerned that there are going to be some
10 statements the Court is going to make about our rights in
11 English that he may not quite understand, so I would prefer if
12 the Court indulges me with this, to continue with Mandarin to
13 English and English to Mandarin.

14 THE DEFENDANT: Twenty-three years old.

15 THE COURT: So, Mr. Kuang, at your lawyer's request,
16 I'll ask you to give your answers in Mandarin so that way the
17 translator can simply translate those.

18 MR. WALSH: And I apologize, Judge, I know it will
19 delay it a bit, but I don't want there to be something that
20 comes up later.

21 THE COURT: Mr. Kuang, how much formal education
22 have you had?

23 THE DEFENDANT: What does that mean?

24 THE COURT: How far did you go in school? What
25 grade?

1 THE DEFENDANT: Third year in high school.

2 THE COURT: Have you been able to understand
3 everything that's been said so far with the assistance of the
4 translator?

5 THE DEFENDANT: Yes.

6 THE COURT: Mr. Walsh, have you been able to
7 communicate with your client using an interpreter?

8 MR. WALSH: Yes, Your Honor.

9 THE COURT: Mr. Kuang, have you ever been treated or
10 hospitalized for any mental illness?

11 THE DEFENDANT: Recently, there was a doctor who
12 gave me a prescription for anxiety.

13 THE COURT: But you weren't put into a hospital,
14 were you?

15 THE DEFENDANT: No hospital.

16 THE COURT: Okay. Now, you say you've received
17 treatment for anxiety. Are you receiving any medications for
18 that?

19 THE DEFENDANT: Correct.

20 THE COURT: Is that the medication you brought with
21 you today?

22 THE DEFENDANT: So what I have here is a emergency
23 pill so in any event that I faint, then I should immediately
24 put it into my mouth.

25 THE COURT: How often do you take medication for

1 your anxiety?

2 THE DEFENDANT: Now I'm asked to take one every
3 night.

4 THE COURT: And do you know the name of the
5 medication?

6 THE DEFENDANT: No, I don't, but I have it at home.
7 It is prescribed by my --

8 THE COURT: By your who?

9 THE INTERPRETER: Interpreter will repeat.
10 PCP, primary care physician.

11 THE COURT: Oh, PCP, which we understand to be
12 primary care physician, okay.

13 Is there anything about the medication you're taking
14 that makes it difficult for you to understand or comprehend
15 what's going on?

16 THE DEFENDANT: So my PCP prescribing me with this.
17 It can help with my sleep, but let's say -- it doesn't affect
18 my ability to talk or those things.

19 THE COURT: Does it affect your ability to process
20 things mentally?

21 THE DEFENDANT: No.

22 THE COURT: Does it affect your ability to
23 understand what's being said to you?

24 THE DEFENDANT: No.

25 THE COURT: Is your mind clear as you sit here right

1 now?

2 THE DEFENDANT: Clear.

3 THE COURT: Do you understand why you're here?

4 THE DEFENDANT: I do.

5 THE COURT: Now, other than what we've just
6 discussed, have you recently been under the care of a doctor
7 or psychiatrist for any other reason?

8 THE DEFENDANT: Can you say that one more time,
9 please?

10 THE COURT: Other than what we were just discussing
11 about the antianxiety medication and the treatment you are
12 receiving, have you seen a doctor or a psychiatrist for any
13 other reason?

14 THE DEFENDANT: No.

15 THE COURT: Have you ever been treated or
16 hospitalized for any type of addiction, such as drugs or
17 alcohol?

18 THE DEFENDANT: No.

19 THE COURT: Now, besides the medication we just
20 discussed, have you taken any other drugs or pills or had any
21 alcoholic beverages within the last two days?

22 THE DEFENDANT: No.

23 THE COURT: Mr. Walsh, have you discussed the matter
24 of pleading guilty with your client?

25 MR. WALSH: Yes, Judge, we've discussed it. And the

1 plea agreement was translated by my --

2 THE COURT: Use the microphone.

3 MR. WALSH: Judge, Mr. Kuang and I have discussed
4 the plea agreement, and it has been translated into Mandarin
5 for him by my assistant in our office in -- excuse me -- in
6 Chicago.

7 THE COURT: Does he understand the rights that he
8 will be waiving by pleading guilty?

9 MR. WALSH: Yes.

10 THE COURT: Is he capable of understanding the
11 nature of these proceedings?

12 MR. WALSH: Yes.

13 THE COURT: Do you have any doubt as to his
14 competence to plead guilty at this time?

15 MR. WALSH: No.

16 THE COURT: Have you advised him of the maximum and
17 minimum sentence and fine that can be imposed in this matter?

18 MR. WALSH: Yes.

19 THE COURT: Have you discussed with him the effect
20 of the sentencing guidelines?

21 MR. WALSH: Yes.

22 THE COURT: Mr. Kuang, have you reviewed a copy of
23 the S-1 superseding indictment which contains the charges
24 against you, as well as a forfeiture allegation?

25 THE DEFENDANT: Clear. That has been reviewed.

1 THE COURT: You've reviewed it?

2 THE DEFENDANT: Yes.

3 THE COURT: And it was translated for you?

4 THE DEFENDANT: Correct, translated.

5 THE COURT: Have you discussed with your attorney
6 Count Three, which is the count you are going to be pleading
7 guilty to with your attorney?

8 THE DEFENDANT: Discussed.

9 THE COURT: Now, Count Three charges you with
10 conspiring to engage in interstate stalking. If the
11 Government were to go to trial against you on this charge,
12 they would have to prove a number of elements beyond a
13 reasonable doubt. First, they'd have to prove that two or
14 more persons entered into the unlawful agreement charged in
15 the S-1 indictment; second, they would have to show that you
16 knowingly and willfully became a member of that conspiracy;
17 third, they'd have to show that one of the members of the
18 conspiracy knowingly committed at least one of the overt acts
19 charged in Count Three; and, fourth, that the overt acts were
20 committed to further some objective of the conspiracy.

21 THE INTERPRETER: Your Honor, can you repeat this
22 part for the interpreter, please?

23 THE COURT: Yes.

24 The further element is that the overt act that was
25 committed had to be committed in furtherance of the objective

1 of the conspiracy. Sorry, did I say to further the
2 objective -- yes -- of the conspiracy. And the underlying
3 offense that's charged as the object of the conspiracy is
4 interstate stalking, and that has three elements, the first of
5 which is that the defendant traveled in interstate or foreign
6 commerce; second, that you did so with the intent to kill,
7 injure, harass, or intimidate or place under surveillance with
8 the intent to do the same; and the third element is that in
9 the course of or resulting from this travel, you engaged in
10 conduct which placed the victim in reasonable fear of death or
11 serious injury or cause substantial emotional distress to that
12 victim or a member of the victim's immediate family. But to
13 reiterate, the crime that you are charged with is agreeing to
14 commit this underlying offense.

15 THE INTERPRETER: Your Honor, can you repeat this
16 for the benefit of the interpreter?

17 THE COURT: Yes.

18 THE INTERPRETER: Thank you.

19 THE COURT: Yes. So I want to reiterate that the
20 crime you are charged with is agreeing to, or conspiring to
21 commit this underlying offense so that even if the actual
22 stalking never occurred, you could still be guilty of
23 conspiring to commit that crime, so long as you or a
24 co-conspirator committed an overt act in furtherance of the
25 conspiracy.

1 So do you understand what the Government would have
2 to prove with respect to Count Three if you were to go to
3 trial in this case? And I will also note that although the
4 superseding indictment contains forfeiture allegations, they
5 don't apply to Count Three.

6 THE INTERPRETER: Your Honor, can you repeat this
7 part for the benefit of the interpreter, please?

8 THE COURT: The superseding indictment contains
9 forfeiture allegations, but they do not apply to Count Three.

10 Mr. Kuang, have you had enough time to discuss with
11 your attorney whether or not to plead guilty? Have you had
12 enough time to talk with your attorney about whether or not to
13 plead guilty?

14 THE DEFENDANT: Yes.

15 THE COURT: Are you fully satisfied with the counsel
16 representation and advice given to you by your attorney in
17 this case?

18 THE DEFENDANT: Satisfied.

19 THE COURT: Mr. Kuang, you have a right to continue
20 to plead not guilty; no one can be forced to plead guilty.

21 Do you understand?

22 THE DEFENDANT: No force. Voluntary.

23 THE COURT: But understand that you have a right to
24 continue to plead not guilty if you want.

25 Do you understand that?

1 THE DEFENDANT: Understood.

2 THE COURT: If you continued with your not guilty
3 plea, you have the right under the Constitution and laws of
4 the United States to a speedy and public trial by jury. At
5 trial, you would be presumed to be innocent. The Government
6 would have to prove your guilt beyond a reasonable doubt.

7 Do you understand?

8 THE DEFENDANT: Understood.

9 THE COURT: You would have the right to the
10 assistance of counsel for your defense at trial.

11 Do you understand?

12 THE DEFENDANT: Yes.

13 THE COURT: You would have the right to see and hear
14 all the witnesses and to have them cross-examined in your
15 defense.

16 Do you understand?

17 THE DEFENDANT: Yes.

18 THE COURT: You would have the right not to testify
19 unless you voluntarily chose to do so at trial.

20 Do you understand?

21 THE DEFENDANT: Yes.

22 THE COURT: You would have the right to compel
23 witnesses to attend the trial and testify in your defense.

24 Do you understand?

25 THE DEFENDANT: Yes.

1 THE COURT: If you decided not to testify or put on
2 any evidence at the trial, the fact that you did not do so
3 could not be used against you at trial.

4 THE DEFENDANT: I know.

5 THE COURT: In other words, the Government could not
6 argue to the jury that they should convict you based solely on
7 the fact that you remain silent and did not put on any
8 evidence.

9 Do you understand?

10 THE DEFENDANT: Understood.

11 THE COURT: If you enter a guilty plea, and if I
12 accept your plea, there will be no trial.

13 Do you understand?

14 THE DEFENDANT: Yes.

15 THE COURT: You will have waived or given up your
16 right to a trial, as well as all of these other rights.

17 Do you understand?

18 THE DEFENDANT: Yes.

19 THE COURT: If you plead guilty, there will be no
20 right of appeal from the judgment of guilt.

21 Do you understand?

22 THE DEFENDANT: Yes.

23 THE INTERPRETER: From the interpreter, Your Honor,
24 for one minute, I need to get another pen.

25 THE COURT: Okay, go right ahead.

1 THE INTERPRETER: Thank you.

2 (Pause.)

3 THE INTERPRETER: Sorry about that. Continue, Your
4 Honor.

5 THE COURT: Okay.

6 I will simply enter a judgment of guilt based on
7 your guilty plea, and the Government will be freed of any
8 responsibility to prove your guilt.

9 Do you understand?

10 THE DEFENDANT: Yes.

11 THE COURT: If you plead guilty, I will have to ask
12 you questions about what you did in order to make sure that
13 you're guilty of the crime you are pleading guilty to. By
14 answering my questions, you will be giving up your right
15 against self-incrimination.

16 Do you understand?

17 THE DEFENDANT: Yes.

18 THE COURT: Mr. Kuang, do you understand each and
19 every one of these rights that we've just discussed?

20 THE DEFENDANT: Yes.

21 THE COURT: Are you willing to give up your right to
22 a trial and all of these other rights?

23 THE DEFENDANT: Okay.

24 THE COURT: Did he just say "okay"?

25 THE DEFENDANT: Yeah.

1 THE COURT: In other words, you are willing to give
2 up your right to a trial and all of these other rights?

3 THE DEFENDANT: Correct.

4 THE COURT: Okay. Let's turn to the agreement
5 you've entered into with the Government.

6 The original has been marked as Court Exhibit
7 Number 1.

8 Did you sign it on the last page above where your
9 name is typewritten?

10 MR. WALSH: Judge, I don't have that page, but he
11 did sign it, and my staff member -- here we go, I'm sorry, I
12 gave the wrong copy to the -- I'm sorry, Judge.

13 THE COURT: Okay, go ahead.

14 Did you sign it, Mr. Kuang, on the last page?

15 THE DEFENDANT: Correct.

16 THE COURT: Did you have an opportunity to read it
17 before you signed it?

18 THE DEFENDANT: Yes.

19 THE COURT: And was it translated into Mandarin for
20 you?

21 THE DEFENDANT: Correct.

22 THE COURT: Do you understand the terms of this
23 agreement?

24 THE DEFENDANT: Yes.

25 THE COURT: Do you feel like you've had enough time

1 to review the agreement?

2 THE DEFENDANT: Yes.

3 THE COURT: Mr. Walsh, do you feel you've had enough
4 time to review the agreement with your client?

5 THE DEFENDANT: Yes, Your Honor, and just for the
6 Court's benefit, it was translated by Zoe, Z-O-E, Xu, X-U, who
7 just took her New York State Bar exam about three weeks ago.

8 THE COURT: Do you have any questions at all about
9 the agreement, Mr. Kuang?

10 THE DEFENDANT: No.

11 THE COURT: Does this agreement represent your
12 entire understanding with the Government?

13 THE DEFENDANT: Correct.

14 THE COURT: Has anyone made you any promise or
15 assurance that is not in the agreement to get you to accept
16 it?

17 THE DEFENDANT: No.

18 THE COURT: Has anyone threatened you in any way to
19 get you to accept this agreement?

20 THE DEFENDANT: No.

21 THE COURT: Mr. Walsh, were all formal plea offers
22 from the Government communicated to your client?

23 MR. WALSH: Yes, Your Honor.

24 THE COURT: Mr. Kuang, let's turn now to some of the
25 possible penalties you face by pleading guilty to Count Three.

1 The maximum term of imprisonment is five years.

2 There is no mandatory minimum term of imprisonment that must
3 be imposed. Any term of imprisonment can be followed by a
4 term of supervised release of up to three years. Supervised
5 release refers to the period of time when you will be subject
6 to supervision by the Probation Department, and that's after
7 completing any term of imprisonment. You will have to follow
8 rules of supervised release, and if you violate any of those
9 rules, you could be sent back to prison for up to two
10 additional years, and you could be sent back to prison without
11 a jury trial, and it would be without any credit for any time
12 you may have spent in prison before then or any time you may
13 have spent on supervised release before then. You also face a
14 possible fine of the greater of \$250,000 or twice the gross
15 gain, or twice the gross loss, caused by your crime.

16 You will be required to pay restitution in the full
17 amount of each victim's losses, which I'll determine at the
18 time of sentencing. You will also be required to pay a \$100
19 special assessment at the time of sentencing; and,
20 furthermore, because you are not a U.S. citizen, you face
21 likely deportation or removal from the United States.

22 Do you understand that in paragraph 11 of your
23 agreement you've confirmed that you are willing to plead
24 guilty regardless of any immigration consequences that your
25 plea entails?

1 THE DEFENDANT: Understood.

2 THE COURT: Do you understand all of the possible
3 consequences of your guilty plea, Mr. Kuang?

4 THE DEFENDANT: Yes.

5 THE COURT: Let's turn to the sentencing guidelines.

6 Under the Sentencing Reform Act of 1984, the U.S.
7 Sentencing Commission has issued guidelines for judges to
8 follow in determining sentences in criminal cases.

9 THE INTERPRETER: Your Honor, could you repeat the
10 first part of the statement for the interpreter, please.

11 THE COURT: Yes. So under the Sentencing Reform Act
12 of 1984, the Sentencing Commission has issued guidelines for
13 judges to follow in determining a sentence in a criminal case.

14 THE INTERPRETER: You thank you, Your Honor.

15 THE COURT: These guidelines are advisory, and I
16 will consider them along with other facts and circumstances in
17 determining your sentence.

18 Mr. Kuang, have you and your attorney discussed how
19 the advisory sentencing guidelines might apply to your case?

20 THE DEFENDANT: Yes.

21 THE COURT: You should understand that any estimate
22 your attorney may have given you could be wrong. I will not
23 be able to determine the applicable guidelines range until
24 after a Presentence Report has been prepared by the Probation
25 Department and after you and the Government have had a chance

1 to review the report and challenge anything in it, which could
2 include challenging the guidelines range, you should also
3 understand that under some circumstances, I can depart upward
4 or downward from any advisory guideline range.

5 Now, the sentence I impose may be very different
6 from any estimate your attorney has given you.

7 Do you understand that?

8 THE DEFENDANT: Yes.

9 THE COURT: As you sit here today, there's no
10 guarantee as to what guideline range I will decide applies at
11 the time of sentencing.

12 Do you understand that?

13 THE DEFENDANT: Yes.

14 THE COURT: And if the guideline range that applies
15 is different than what you hope for or expect, you cannot take
16 your guilty plea back.

17 Do you understand?

18 THE DEFENDANT: Yes.

19 THE COURT: Also, as you sit here today, there's no
20 way for you to know what your ultimate sentence will be.

21 Do you understand?

22 THE DEFENDANT: Yes.

23 THE COURT: If the ultimate sentence I impose is
24 different than what you hope for or expect, you cannot take
25 your guilty plea back.

1 Do you understand?

2 THE DEFENDANT: Yes.

3 THE COURT: Finally, you should understand that
4 there's no parole in the federal system, and if you are
5 sentenced to a term of imprisonment, you will not be released
6 on parole.

7 Regarding your right to appeal, under some
8 circumstances, you or the Government might have the right to
9 appeal any sentence that I impose, but in your plea agreement,
10 specifically paragraph 3, you've agreed not to appeal or
11 otherwise challenge your conviction or sentence if I impose a
12 term of imprisonment of 33 months or less.

13 Do you understand that?

14 THE DEFENDANT: Correct.

15 THE COURT: Mr. Kuang, do you have any questions
16 about the rights that you're giving up, the punishments you
17 face, the plea agreement, or anything else related to this
18 matter?

19 THE DEFENDANT: No.

20 THE COURT: Are you ready to plead guilty,
21 Mr. Kuang?

22 THE DEFENDANT: I'm ready.

23 THE COURT: Mr. Walsh, do you know of any reason why
24 your client should not plead guilty?

25 MR. WALSH: No, Your Honor.

1 THE COURT: Mr. Kuang, what is your plea to Count
2 Three of the S-1 indictment; guilty or not guilty?

3 THE DEFENDANT: Guilty.

4 THE COURT: Are you making this plea voluntarily and
5 of your own free will?

6 THE DEFENDANT: Correct.

7 THE COURT: Has anyone threatened you or forced you
8 to plead guilty?

9 THE DEFENDANT: No.

10 THE COURT: Other than your plea agreement with the
11 Government, has anyone made you any promise that has caused
12 you to plead guilty?

13 THE DEFENDANT: No.

14 THE COURT: Has anyone made you any promise as to
15 what your sentence will be?

16 THE DEFENDANT: No.

17 THE COURT: Tell me in your own words what makes you
18 guilty of Count Three which charges you with conspiring to
19 engage in interstate stalking.

20 Remember to pause for the interpreter.

21 THE DEFENDANT: September 2018, I, with another
22 person, went to a residence in New Jersey --

23 THE INTERPRETER: Your Honor, may interpreter
24 request clarification?

25 THE COURT: Yes, go ahead.

1 THE INTERPRETER: Thank you.

2 -- harassed the other person and also placed a
3 written note on that person's door, which says: If you return
4 to China and stay in prison for ten years, your family members
5 would be safe and sound and we'll finish it up this matter in
6 this way. And then I feel by doing this I'm wrong.

7 THE COURT: Let me ask you a few follow-up
8 questions.

9 You said in September 2018, you and another person,
10 whom I believe you identified as -- and I'm going to spell
11 this for the court reporter, Z-H-E-N-G, Zheng Congying,
12 C-O-N-G-Y-I-N-G -- that's the first name, but it's a separate
13 word -- is that who you identified as going with you to New
14 Jersey?

15 THE DEFENDANT: Correct.

16 THE COURT: And where did you go to New Jersey from?
17 You and Mr. Zheng.

18 THE DEFENDANT: It was from Brooklyn to New Jersey.
19 He drove.

20 THE COURT: You said we drove or he drove?

21 THE INTERPRETER: Interpreter clarify. He drove.

22 THE COURT: So you went from New York to New Jersey;
23 is that correct?

24 THE DEFENDANT: Correct.

25 THE COURT: And when the two of you went, had you

1 previously agreed you would go together to New Jersey?

2 THE DEFENDANT: Before I went, I hadn't known there
3 will be such a thing.

4 THE COURT: But before you actually traveled, did
5 you agree to travel with Mr. Zheng to New Jersey?

6 THE DEFENDANT: Correct.

7 THE COURT: In other words, before you got in the
8 car, you agreed with Mr. Zheng or someone else that you were
9 going to go to New Jersey?

10 THE DEFENDANT: Correct.

11 THE COURT: And what was your purpose in going there
12 to the house in New Jersey?

13 THE DEFENDANT: To look for a person.

14 THE COURT: All right. But what were you going to
15 do when you got there?

16 THE DEFENDANT: To knock on the door and press on
17 the doorbell and no one showed up, and then he took out a note
18 and pasted it on the door.

19 THE COURT: Did you go to New Jersey for the purpose
20 of harassing the person who lived at that New Jersey
21 residence?

22 THE DEFENDANT: Yes, correct.

23 THE COURT: And I think you said this before, but
24 the note told the person who lived at that residence to go
25 back to the People's Republic of China; correct?

1 THE DEFENDANT: Correct.

2 THE COURT: Is there anything else from the
3 Government's perspective that I need to ask Mr. Kuang?

4 MS. SISE: Nothing else from the Government, Your
5 Honor.

6 THE COURT: So I do find based on my observations of
7 Mr. Kuang, his responses to my questions, and the responses of
8 his attorney that Mr. Kuang is fully competent and capable of
9 entering an informed guilty plea; that Mr. Kuang is aware of
10 the nature of the charge to which he's pled guilty and the
11 consequences of his guilty plea; that his plea is knowing and
12 voluntary; and that his allocution satisfies the essential
13 elements of Count Three.

14 I therefore accept your plea, Mr. Kuang, to Count
15 Three of the superseding S-1 indictment.

16 Sentencing is scheduled for --

17 THE COURTROOM DEPUTY: -- February 24, 2023, at
18 11:00 a.m. I'm sorry, that's 10:00 a.m.

19 THE COURT: Mr. Kuang, you will be interviewed by
20 the Probation Department for purposes of preparing the
21 Presentence Report. You have the right to have your attorney
22 present during the interview.

23 Would you like Mr. Walsh to be there?

24 THE DEFENDANT: Yes.

25 THE COURT: And I imagine that can be arranged by

1 video as well.

2 I'm returning the original plea agreement, Court
3 Exhibit Number 1, the Government, per se, is keeping.

4 Is there anything else in this matter that we need
5 to address?

6 MR. WALSH: Judge, I just have to give your clerk
7 some particulars for the sheets --

8 THE COURTROOM DEPUTY: You need to use the
9 microphone.

10 THE COURT: That's okay. All he said he was going
11 to give you, Fida, some particulars -- information.

12 THE COURTROOM DEPUTY: Thank you.

13 THE COURT: All right. Anything else from the
14 Government?

15 MS. SISE: Nothing from the Government.

16 THE COURT: All right, everyone is excused. We have
17 another matter.

18 Thank you, everyone.

19 (Matter concluded.)

20

21 * * * * *

22 I certify that the foregoing is a correct transcript from the
23 record of proceedings in the above-entitled matter.

24 /s/ Denise Parisi

May 4, 2023

25 _____
DENISE PARISI

DATE